

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RANDALL DUCHESNEAU
Plaintiff,

v.

CORNELL UNIVERSITY, et al.
Defendant.

: CIVIL ACTION
:
:
: No. 08-4856
:
:

ORDER

And now, this 19th day of October, 2010, upon consideration of Defendant Cornell University's Motion to Overrule Plaintiff's Objections and Compel Discrete Responses to Defendant's Requests for Admission Nos. 2-5, 7, 9, and 19-22 (Doc. No. 32), and Plaintiff's opposition thereto (Doc. No. 35), it is hereby ordered that Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendant's Motion to Compel Responses to Requests for Admission Numbers 2, 3, 4, and 5 is GRANTED. Defendant shall re-draft Requests 4 and 5, striking the phrase "an independent student organization." Defendant shall serve Amended Requests for Admission Numbers 4 and 5 on or before October 22, 2010. Thereafter, Plaintiff's objections to Requests for Admission Numbers 2, 3, 4, and 5 are overruled, and Plaintiff shall provide responses on or before October 29, 2010.
2. Defendant's motion to overrule Plaintiff's objections and compel discrete responses to Request for Admission Number 7 is GRANTED, and Plaintiff shall provide a response on or before October 29, 2010.

3. Defendant's motion to overrule Plaintiff's objections and compel discrete responses to Request for Admission Number 9 is GRANTED. Defendant shall amend Request for Admission Number 9 to omit "as defined by the form 'Agreement for a Contracted Independent Organization' attached hereto as Exhibit 'B.'" Defendant shall serve an Amended Request for Admission Number 9 on or before October 22, 2010. Thereafter, Plaintiff's objections to Requests for Admission Number 9 are overruled, and Plaintiff shall provide responses on or before October 29, 2010.
4. Defendant's motion to overrule Plaintiff's objections and compel discrete responses to Requests for Admission Numbers 19, 20, 21 and 22 is GRANTED. Defendant shall amend Requests for Admission Numbers 19, 20, 21, and 22 to define Plaintiff's gymnastic maneuver as "a standing backward somersault on the TumblTrak." Defendant shall serve Amended Requests for Admission Numbers 19, 20, 21, and 22 on or before October 22, 2010. Thereafter, Plaintiff's objections to Requests for Admission Numbers 19, 20, 21 and 22 are overruled, and Plaintiff shall provide responses on or before October 29, 2010.

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE